



REPUBLIC OF THE PHILIPPINES  
PROVINCE OF CAVITE  
MUNICIPALITY OF CARMONA

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 38<sup>TH</sup> REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CARMONA, CAVITE HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON 17 SEPTEMBER 2018

PRESENT:

HON. CESAR L. INES JR.	.....	<i>Municipal Vice Mayor and Presiding Officer</i>
HON. CESAR M. LOYOLA	.....	<i>SB Member</i>
HON. BERNIE A. ORTIZ	.....	<i>SB Member</i>
HON. ROEL Z. MANARIN	.....	<i>SB Member</i>
HON. HUBERTO A. HUGO	.....	<i>SB Member</i>
HON. AMABLE M. LONTOK	.....	<i>SB Member</i>
HON. MAXIMO A. ACBAY	.....	<i>SB Member</i>
HON. ALBERTO H. OCAMPO	.....	<i>SB Member</i>
HON. REBECCA L. REYES	.....	<i>SB Member</i>
HON. ALMARIO S. ZAMORA	.....	<i>ABC President</i>
HON. TOM CARLO M. ARDEMER	.....	<i>SK Mun. Federation President</i>

ABSENT: NONE

MUNICIPAL ORDINANCE NO. 18-2018

**AUTHORIZING THE EXPROPRIATION OF LOT NUMBERS 799 AND 1484 CONSISTING OF THIRTY THOUSAND FOUR HUNDRED THIRTY TWO (30,432) SQUARE METERS, MORE OR LESS, UNDER TAX DECLARATION NO. 04-0012-01260 REGISTERED IN THE NAME OF GERARDO M. ALBERTO LOCATED AT BARANGAY MADUYA, CARMONA, CAVITE TO BE USED AS SITES FOR THE ESTABLISHMENT OF THE CREMATORIUM PROJECT AND SEPTAGE TREATMENT FACILITY OF THE MUNICIPAL GOVERNMENT OF CARMONA**

*Introduced by: Hon. Roel Z. Manarin and Hon. Bernie A. Ortiz*

EXPLANATORY NOTE

**WHEREAS**, Section 19 of the Local Government Code of 1991 authorizes a local government unit, through an ordinance, exercise the power of eminent domain for public use or purpose upon payment of just compensation;

**WHEREAS**, there is a need to acquire Lot Numbers 799 and 1484 consisting of Thirty Thousand Four Hundred Thirty Two (30,432) square meters, more or less, under Tax Declaration No. 04-0012-01260 registered in the name of GERARDO M. ALBERTO located at Barangay Maduya, Carmona, Cavite as best sites for the establishment of Crematorium Project and Septage Treatment Facility of the Municipal Government of Carmona;

 ALBERTO H. OCAMPO  
 MAXIMO A. ACBAY  
 AMABLE M. LONTOK  
 HUBERTO A. HUGO  
 ROEL Z. MANARIN  
 CESAR M. LOYOLA  
 REBECCA L. REYES  
 DR. DAMILIA A. LOYOLA  
 CESAR L. INES JR.  
 MARVIC M. PAKINGAN  
 TOM CARLO M. ARDEMER  
 ALMARIO S. ZAMORA



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**WHEREAS**, the aforesaid projects are deemed necessary for the maintenance of health and sanitation and maintenance of safety of the local community and are thus intended for public welfare and purpose;

**WHEREAS**, the Municipal Government through the Office of the Municipal Assessor/Zoning Administrator has made a valid and definite offer to purchase the aforementioned property, but the same has not been accepted;

**WHEREAS**, after due study and deliberation on the matter, this Body finds the expropriation in order meriting its approval;

**NOW, THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG BAYAN IN REGULAR SESSION ASSEMBLED THAT:**

**SECTION 1. EXPROPRIATION.** – The expropriation of Lot Numbers 799 and 1484 consisting of Thirty Thousand Four Hundred Thirty Two (30,432) square meters, more or less, under Tax Declaration No. 04-0012-01260 registered in the name of GERARDO M. ALBERTO located at Barangay Maduya, Carmona, Cavite to be used for the construction of the Crematorium Project and Septage Treatment Facility of the Municipal Government of Carmona, is hereby authorized.

**SECTION 2. AUTHORITY.** – The Municipal Mayor is hereby authorized to initiate, file, prosecute and carry to completion the appropriate expropriation proceedings before the court of competent jurisdiction; to act for and in the Municipal Government's name and stead and to represent it during the pre-trial, preliminary conference and/or trial or hearing thereof; to enter into amicable settlement, to submit to alternative modes of dispute resolution, and to make admissions or stipulations of facts and documents relative thereto; and to delegate this authority to a competent person.

**SECTION 3. APPROPRIATION.** –The amount equivalent to the deposit of at least fifteen percent (15%) of the fair market value of the property based on the current tax declaration and other fees necessary for the completion of the expropriation proceedings as well as the total amount of the just compensation based on the fair market value at the time of the taking of the property or as may be determined by the court is hereby appropriated from the unexpended portion of the general fund of the Municipal Government or from other lawful sources of the government.

**SECTION 4.** This Ordinance shall take effect from the approval of this Ordinance.

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ALBERTO H. OCAMPO  
MAXIMO A. ACBAY  
DR. DAHLIA A. LOYOLA  
AMABLE M. LONTOK  
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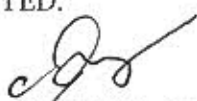
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ENACTED ON 17 SEPTEMBER 2018.

I hereby certify to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Bayan during its 38<sup>th</sup> Regular Session on 17 September 2018.

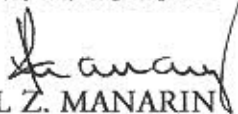
MARIVIC M. PAKINGAN  
*Secretary to the Sanggunian*


ATTESTED:

  
HON. CESAR L. INES JR.  
*Municipal Vice Mayor and Presiding Officer*


SANGGUNIANG BAYAN MEMBERS

  
HON. CESAR M. LOYOLA

  
HON. ROEL Z. MANARIN

  
HON. AMABLE M. LONTOK

  
HON. ALBERTO H. OCAMPO

  
HON. ALMARIO S. ZAMORA  
*ABC President*

  
HON. BERNIE A. ORTIZ

  
HON. HUBERTO A. HUGO

  
HON. MAKIMO A. ACBAY

  
HON. REBECCA L. REYES

  
HON. TOM CARLO M. ARDEMER  
*SK Federation President*

APPROVED:

  
HON. DAHLIA A. LOYOLA  
*Municipal Mayor*

OCT 03 2018

Date Approved